

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 23, 1955  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilman Long, Palmer, Pearson, White, Mayor Miller  
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by REV. JIMMIE TINKLE, Koenig Lane Christian Church.

Councilman White moved that the Minutes of the meeting of June 16th, and the Special meeting of June 6th be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

MR. WILLIE BARTEE, spokesman for citizens in the St. Johns Addition asked the Council to help them in getting water to the people living on Providence and Meadows--45 houses on Providence and 21 on Meadows. The City Manager stated that when the people put up their deposits, the City was ready to run the lines 100' for each deposit. Mr. Bartee was asked to get with the people and urge them to put up their deposits. The Council instructed the City Manager to have the Water Department to get the exact status on what is involved--whether the City is behind or whether the people out in the addition are behind--an estimate of how many deposits are up, and be able to give them a written answer by next week.

MR. BARTEE also asked that St. Johns Street be opened into the Inter-regional Highway--the Street is opened, but as it runs into the Highway there is a curb. Councilman Pearson suggested contacting the Highway Department to see if it could be opened at this point. The Mayor stated he would like to get

information on this addition--what taxes have been paid since it had been taken in, and if the city were meeting its obligations and if the citizens in the addition were meeting theirs.

In accordance with the published notice thereof, at 10:30 o'clock A.M. it was announced that the Council would proceed with the hearing involving the improvement of Burrell Drive, Unit 1 in the City of Austin, the benefits which would result to the abutting property and owners, the amount of the costs of such improvements to be assessed against the abutting property and owners, and all related matters. The City Manager explained this was a boundary street of a new subdivision, and the subdivider had put up the money for the total cost of the street, including the part which the City would normally have to bear. Opposition was expressed by a group of members of the Redeemer Lutheran Church Mission, as this was the side street to their church and would not benefit them in any way, that they would be more interested in having Anderson Lane paved in front of their Church; that they are only a year-old Mission, with no money and are running a large monthly deficit now. The Pastor, REV. RAY SCHKADE; the Treasurer, MR. STAN BLAKNEY; and the Director of Missions, MR. ALFRED RAST were present. Mr. Blakney did not believe the Church should be assessed to help a subdivision. It was brought out in the hearing the street was an access street to the School, a playground, and would be an access street to this subdivision with an ultimate 400 homes. The assessment was \$2300. After much discussion, MR. KARL WAGNER, Subdivider of Wooten Park stated he would pay the extra \$300, leaving the assessment against the Church at \$2000; defer interest and principle for two years, with interest at  $2\frac{1}{2}\%$ . The group, together with Mr. Wagner, worked out the problem satisfactorily among themselves. The Mayor stated possibly something could be worked out for the Church on paving Anderson Lane. He pointed out the advantages of the paving of this access street. Councilman Long moved that the hearing be closed and the City Manager be instructed to bring in an ordinance levying the assessment in the sum of \$2,000 as agreed upon. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Mayor Miller brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 134 ACRES OF LAND, MORE OR LESS, OUT OF THE JAMES P. WALLACE SURVEY, THE DINSMORE SIMPSON SURVEY AND THE THOS. ELDRIDGE SURVEY, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third and Councilman Pearson moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Lon, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 8.61 ACRES OF LAND OUT OF THE GEORGE W. DAVIS SURVEY IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Pearson moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 8.60 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THAT CERTAIN TRACT OF LAND OUT OF THE A. B. SPEAR LABOR IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Pearson moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller brought up the following ordinance for its third reading:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING THAT CERTAIN SOUTHERLY PORTION OF HANCOCK DRIVE WHICH LIES WEST OF BULL CREEK ROAD AND THAT CERTAIN WESTERLY PORTION OF BULL CREEK ROAD WHICH LIES SOUTH OF HANCOCK

DRIVE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS;  
AND SUSPENDING THE RULE REQUIRING THE READING OF AN  
ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the third time and Councilman Pearson moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE  
PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN,  
TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE  
BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE  
RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS  
AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING  
ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH  
A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL  
APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES  
301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF  
THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY  
CHANGING THE USE DESIGNATION FROM "A" RESIDENCE  
DISTRICT TO "LR" LOCAL RETAIL DISTRICT ON A CORNER  
LOT LOCALLY KNOWN AS 1812-14 HARVEY STREET AND  
2937 EAST 19TH STREET, IN THE CITY OF AUSTIN,  
TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE  
USE MAPS SO AS TO RECORD THE CHANGE HEREBY  
ORDERED; AND SUSPENDING THE RULE REQUIRING THE  
READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE AND HEIGHT AND AREA DESIGNATIONS FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT ON LOT 1, BLOCK "A", ST. LOUIS HEIGHTS, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilmen White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING BOGLE AVENUE FROM CHICON STREET TO LYNN STREET IN THE CITY OF AUSTIN, TEXAS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

MR. JAMES R. SMITH, 1424 Corona Drive, appeared before the Council asking for stop signs in Delwood 4, Windsor Park. The streets are narrow, and there are no speed limit signs. The City Manager was asked to get a study made of this area from the Traffic Engineer covering the streets in Delwood 4. Mr. Smith was asked to check back with the City Manager in about two weeks. Mr. Smith called attention to the bad condition of Cameron Road. It was stated this road was being maintained constantly as it was in bad shape.

Mayor Miller introduced the following ordinance:

AN ORDINANCE APPROPRIATING FUNDS TO ASSIST IN THE  
PAVING OF STREETS WHERE THE ABUTTING PROPERTY  
OWNERS PARTICIPATE IN THE VOLUNTARY PAVING PROGRAM;  
AND DECLARING AN EMERGENCY. (\$100,000.00)

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson,

carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE TRANSFERRING THE UNINCUMBERED BALANCE  
OF FUNDS APPROPRIATED FOR ADMINISTRATIVE PROCEDURE  
TO PUBLIC WORKS FOR RIVERFRONT BEAUTIFICATION; AND  
DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, John Broad is the Contractor for the alteration of a building located at 120 West 7th Street and desires a portion of the sidewalk and street space abutting on Lot 7, Block 70, of the Original City of Austin, Travis County, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said John Broad, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point approximately 80 feet east of the north-west corner of the above described property; thence in a northerly direction and at right angles to the center line of West 7th Street 4 feet to a point; thence in an easterly direction and parallel with the center line of West 7th Street approximately 20 feet to a point; thence in a southerly direction and at right angles to the center line of West 7th Street to the north line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said John Broad, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall erect within the above described working space a solid fence built of not less than one inch material and at least 8 feet in height (or extending from the sidewalk to the underside of the present awning) substantially braced and anchored and to maintain same in good condition at all times while the work is in progress. The Contractor will be permitted to put a door in the barricade that will either open in or slide parallel to the barricades, and at all times that material is being delivered or taken away from the building, a watchman shall be provided to warn pedestrians of approaching danger. (The Contractor will also be permitted to use 2 parking meter spaces immediately in front of the entrance in the barricade for the delivery or removal of materials during the construction work.)

(2) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(3) That "No Parking" signs shall be placed on the street side of the barricades.

(4) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(5) That the provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(6) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red light during all periods of darkness and provide lighting system for all tunnels.

(7) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than June 30, 1955.

(8) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(9) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(10) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(11) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5000) which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman Long, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in ARCADIA AVENUE, from Grover Avenue to Wild Street, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said ARCADIA AVENUE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(2) A gas main in WILD STREET, from Alegria Road to Arcadia Avenue, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said WILD STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(3) A gas main in ALEGRIA ROAD from Grover Avenue to Wild Street, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said ALEGRIA ROAD.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(4) A gas main in RIDGE OAK DRIVE, from a point 214 feet north of Highland Crest Drive northerly to Caprice Drive, the centerline of which gas main shall be 4.5 feet west of and parallel to the east property line of said RIDGE OAK DRIVE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(5) A gas main in CAPRICE DRIVE, from Ridge Oak Drive southerly to Arrow Head Drive, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said CAPRICE DRIVE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(6) A gas main in ARROW HEAD DRIVE, from a point 120 feet east of Caprice Drive westerly to Western Hills Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said ARROW HEAD DRIVE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(7) A gas main in WESTERN HILLS DRIVE, from Arrow Head Drive northerly 148 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said WESTERN HILLS DRIVE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(8) A gas main in WESTERN HILLS DRIVE, from Arrow Head Drive southerly 777 feet, the centerline of which gas main shall be 6.5 feet east of and parallel to the west property line of said WESTERN HILLS DRIVE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(9) A gas main in STERZING STREET, from Toomey Road southerly 45 feet, the centerline of which gas main shall be 7.5 feet east of and parallel to the west property line of said STERZING STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(10) A gas main in TOOMEY ROAD, from Sterzing Street easterly 491 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said TOOMEY ROAD.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(11) A gas main in GUADALUPE STREET, from a point 20 feet north of Delafield Lane northerly to Morrow Street, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said GUADALUPE STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(12) A gas main in GUADALUPE STREET, from Morrow Street northerly to a point 21 feet north of Northway Drive, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said GUADALUPE STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(13) A gas main in GRAHAM STREET, from Morris Street northerly 25 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said GRAHAM STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(14) A gas main in MORRIS STREET, from a point 122 feet east of Graham Street westerly to a point 63 feet west of Graham Street, the centerline of which gas main shall be 5 feet south of and parallel to the north property line of said MORRIS STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(15) A gas main in BERKSHIRE DRIVE, from Cameron Road to Belfast Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said BERKSHIRE DRIVE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(16) A gas main in BRIARCLIFF DRIVE, from Cameron Road to Berkman Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said BRIARCLIFF DRIVE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(17) A gas main in YORKSHIRE DRIVE, from Cameron Road to Belfast Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said YORKSHIRE DRIVE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(18) A gas main in BELFAST DRIVE, from a point 20 feet north of Berkshire Drive southerly 1061 feet to a point 150 feet south of Workshird Drive, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of BELFAST DRIVE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(19) A gas main in DEVON CIRCLE from, Belfast Drive southerly 263 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said DEVON CIRCLE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(20) A gas main in CHATHAM AVENUE, from Dunbury Drive to Berkman Drive, the centerline of which gas main shall be 6.5 feet north of and parallel to the south property line of said CHATHAM AVENUE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(21) A gas main in SWEETBRIAR AVENUE, from Dunbury Drive to Berkman Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said SWEETBRIAR AVENUE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(22) A gas main in DUNBURY DRIVE, from Sweetbriar Avenue to Chatham Avenue, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said DUNBURY DRIVE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(23) A gas main in CAMERON ROAD, from a point 147 feet south of Hillcrest Drive northerly to Glenwood Drive, the centerline of which gas main shall be 20 feet east of and parallel to the west property line of said CAMERON ROAD.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet

(24) A gas main in GLENWOOD DRIVE, from Cameron Road easterly to Belfast Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said GLENWOOD DRIVE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(25) A gas main in BELFAST DRIVE, from Glenwood Drive southerly 931 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said BELFAST DRIVE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(26) A gas main in GLENCREST DRIVE, from Cameron Road easterly to a point 162 feet east of Belfast Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said GLENCREST DRIVE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(27) A gas main in HILLCREST DRIVE, from Cameron Road easterly to Belfast Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said HILLCREST DRIVE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain public utility easement, five (5) feet in width, was reserved and dedicated to the public in, upon and across a portion of Lot 8 of the University of San Antonio Subdivision of portions of Outlots 25 and 26, Division "O" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said University of San Antonio Subdivision being of record in Book 4 at page 32, Plat Records of Travis County, Texas; and,

WHEREAS, the owner of said Lot 8 has requested the City of Austin to release the hereinafter described easement; and,

WHEREAS, the hereinafter described easement is not now needed and will not hereafter be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute a release to the owner of the public utility easement, located on the following described property, to wit:

The east five (5) feet of the south 145.00 feet of Lot 8  
of said University of San Antonio Subdivision.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman White moved that the City Manager be instructed to bring in an ordinance appropriating \$17,000 for asphalt emulsion. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The City Manager reported that there would be some incidental drainage problems, culverts and inlets, along with the paving requests, the costs of which would be minor. He inquired if the paving appropriation would include incidental drainage work. After discussion, Councilman Long moved to include this up to \$1,000; and over that the City Manager would come back to the Council. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor reported on the work of the Committee appointed by the Council to look into the possibility of obtaining a part of the Rabb tract by Zilker Springs. The Committee, although it did not have a written agreement, had an oral agreement that the people would sell 10 acres, the Rabb home, 19 acres in the Creek, and the City would have control of the creek 4000' from the Pool. He stated this would protect the multi-million dollars worth of property and the big spring. The Committee had obtained this for \$59,000 as against an \$85,000 price set in the past. The Parks and Recreation Board had approved this purchase. The Council Committee recommended this purchase as the best thing to protect the big investment in Zilker Springs. The Mayor stated the City Manager and City Attorney would be instructed to conclude the trade for the land in the creek.

Councilman Pearson moved that the Committee's recommendation be accepted. The motion was seconded by Councilman White. The Council on Councilman Long's motion and seconded by Councilman White, voted to amend the motion to instruct the City Manager and City Attorney to use their good judgment and get the utility rights and any reciprocal rights. Roll call on the original motion as amended revealed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager, W. T. Williams, Jr., be and he is hereby authorized to execute a contract, on behalf of the City of Austin, to purchase from Builders Development Corporation, for a consideration of Fifty-Nine Thousand Dollars (\$59,000.00), that certain parcel and tract of land, consisting of 29.05 acres, more or less, adjacent to Zilker Springs, Travis County, Texas, and more particularly described by metes and bounds as follows, to wit:

29.05 acres of land, more or less, same being out of and a part of the William Barton Labor in conflict with the Henry P. Hill League lying partly within and partly without the City of Austin, Travis County, Texas, which was conveyed to the Builders Development Corporation by Warranty Deed dated March 8, 1955 of Record in Volume 1547 at page 429, Deed Records of Travis County, Texas, which 29.05 acres of land is more particularly described by metes and bounds as follows:

BEGINNING at a stone mound on the south bank of Barton Creek at the intersection of the said south bank and the south line of the Barton Labor;

THENCE, N. 66° W. 277.78 feet, to a stake on the top of the N.W. bluff of Barton Creek for the West corner of this tract of land;

THENCE, with a marked line on the top of the said bluff, N. 69° 11' E. 1251.11 feet; N. 88° 20' E. 102.22 feet; N. 75° 55' E. 75.00 feet; S. 85° 25' E. 109.72 feet; N. 77° E. 142.17 feet; S. 69° E. 33.06 feet; to an iron pin at the end of a fence;

THENCE, with an old fence, N. 75° 52' E. 277.78 feet; N. 75° 21' E. 256.39 feet; N. 79° 37' E. 96.39 feet; N. 78° 17' E. 213.06 feet; N. 81° 40' E. 555.56 feet; N. 82° 04' E. 400.83 feet; S. 87° 36' E. 116.67 feet; S. 64° 25' E. 190.28 feet to a stake;

THENCE, crossing Barton Creek S. 1° 40' W. 120.83 feet to a stake on the east side of an old road abutment;

THENCE, S. 17° 07' E. 35.78 feet to an iron pin on the high bank of Barton Creek;

THENCE, N. 89° E. 736.11 feet; N. 86° 25' E. 83.33 feet to an old fence post for the N. E. corner of the old Rabb Homestead as now fenced;

THENCE, with an old fenceline along the East line of the Rabb property, S. 3° W. 95.56 feet; S. 17° W. 67.22 feet; S. 8° 20' W. 116.94 feet; S. 16° 20' W. 120.61 feet; S. 20° W. 101.61 feet; S. 12° 14' W. 65.00 feet; S. 2° 07' W. 114.72 feet to a fence corner post for the S.E. corner of this tract of land;

THENCE, with fence, S. 81° 43' W. 54.72 feet; N. 33° 05' W. 52.50 feet; S. 82° 10' W. 75.00 feet; S. 60° W. 104.44 feet to the fence corner post in East side of a road;

THENCE, W. 13.06 feet to a stake in the said road;

THENCE, with the said road, N. 33° 17' W. 62.78 feet; N. 53° 47' W. 142.22 feet; N. 63° W. 491.67 feet; N. 26° W. 33.61 feet to an iron pin at the foot of a double cedar 18" in diameter for a corner of the Robert Mueller tract of land;

THENCE, with fence, N. 69° 30' E. 22.92 feet; N. 36° 30' E. 160.00 feet; N. 22° 19' E. 68.33 feet; N. 30° 55' W. 56.11 feet; N. 61° 05' W. 80.56 feet; N. 80° 56' W. 71.67 feet; S. 79° 50' W. 140.28 feet; S. 66° 30' W. 52.78 feet; N. 71° W. 44.44 feet; N. 27° 30' W. 26.39 feet to a pecan tree 20 inches in diameter;

THENCE, up Barton Creek with its South bank, N. 87° 26' W. 70.83 feet; S. 88° 16' W. 85.42 feet; N. 76° 49' W. 62.22 feet; S. 83° 46' W. 111.11 feet; S. 75° 52' W. 833.33 feet; S. 81° 08' W. 416.67 feet; S. 77° 27' W. 555.56 feet; S. 70° 13' W. 277.78 feet; S. 61° 35' W. 138.89 feet; S. 73° 55' W. 277.78 feet; S. 77° 30' W. 230.56 feet to the PLACE OF BEGINNING.

The motion, seconded by Councilman White, carried by the following vote:  
 Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
 Noes: None

In respect to this purchase, the Mayor pointed out \$38,000 had been appropriated previously to buy this land. He reviewed the transactions by which Colonel Zilker had given this land to the City. As to providing something in the north part of town, the Mayor asked if the Council wanted to instruct the City Manager to look into the possibility of borrowing money from the banks at a low rate of interest, and building a large swimming pool in north Austin somewhere. He stated as to park property, the City Manager has had some offers.

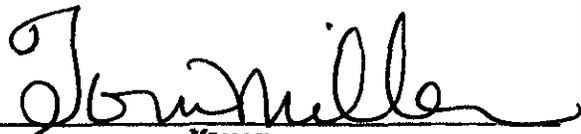
Councilman Long moved that the City Manager be instructed to investigate the possibility of building a large swimming pool, by borrowing money, and continue to investigate the northwest park area. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

MR. WAYNE BURNS, Secretary of the BUILDERS DEVELOPMENT CORPORATION, who holds title to the property adjoining Zilker Springs stated this property had been offered for sale; but under threat of condemnation, they agreed to negotiate the sale; the property was not for sale, and they did not intend to sell; but because of the peculiar location of the property, they recognized that the City of Austin would condemn it and would necessarily have to acquire it eventually.

There being no further business the Council adjourned at 12:30 P.M., subject to the call of the Mayor.

APPROVED

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk